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Attorneys for Plaintiff  
PACIFIC LOGISTICS CORP

UNITED STATES DISTRICT COURT  
DISTRICT OF ARIZONA

SEALED

PACIFIC LOGISTICS CORP, a California  
corporation,

Plaintiff,

vs.

PACIFIC LOGISTICS PRIORITY MAIL, a  
business entity form unknown; JOHN DOE,  
said name being fictitious and unknown;  
DOES 2 through 10; and ROE  
CORPORATIONS 2 through 10,

Defendants.

CASE NO.: CV-19-05023-PHX-SMB

**DECLARATION OF ERIC  
HOCKERSMITH IN SUPPORT OF  
PACIFIC LOGISTICS CORP'S *EX*  
*PARTE* MOTION FOR TEMPORARY  
RESTRAINING ORDER AND  
PRELIMINARY INJUNCTION, AND  
*EX PARTE* MOTION FOR EARLY  
DISCOVERY**

**DECLARATION OF ERIC HOCKERSMITH IN SUPPORT OF PACIFIC LOGISTICS CORP'S *EX PARTE*  
MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION, AND *EX PARTE*  
MOTION FOR EARLY DISCOVERY**

**DECLARATION OF ERIC HOCKERSMITH**

I, Eric Hockersmith, hereby swear and affirm pursuant to 28 U.S.C. §1746 upon direct personal knowledge that the following is true and correct:

1. I am the Chief Operating Officer at Pacific Logistics Corp (“PLC”), a California corporation. I have been employed full-time with PLC for over 11 years and I have held the Chief Operating Officer position for the past 11 months.

2. I have personal knowledge of the facts stated herein unless otherwise indicated.

3. PLC is a world renowned high quality shipping and freight services company with commended customer service.

4. For over twenty years, PLC has used Pacific Logistics™ and Pacific Logistics Corp™ as marks, including on their website, advertising, business cards, as part of their [www.pacific-logistics.com](http://www.pacific-logistics.com) domain name, and even on their office building and vehicles as shown below:



5. PLC has developed its great reputation and continuously and exclusively used the Pacific Logistics Corp™, PLC PACIFIC LOGISTICS® plus design, and PLC® marks (collectively the “Pacific Logistics Marks”) in the shipping and freight industries.

6. On November 20, 2012, PLC was issued the now federally incontestable



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1 trademark registration for PLC PACIFIC LOGISTICS CORP plus design mark  
2 (Registration No. 4,245,361) registered in connection with services in International Class  
3 39, namely: "Freight transportation by truck, rail, air and ship; Freight transportation  
4 consultation in the field of freight transportation by truck, rail, air and ship; Supply chain  
5 logistics and reverse logistics services, namely, storage, transportation and delivery of  
6 goods for others by truck, rail, air and ship." Attached as **EXHIBIT A** to the Appendix  
7 of Exhibits is a true and correct copy of the PLC PACIFIC LOGISTICS CORP plus  
8 design trademark registration certificate.

9 7. On November 20, 2012, PLC was issued the owns federally incontestable  
10 trademark registrations for the PLC word mark (Registration No. 4,245,364) registered in  
11 connection with services in International Class 39, namely: "Freight transportation by  
12 truck, rail, air and ship; Freight transportation consultation in the field of freight  
13 transportation by truck, rail, air and ship; Supply chain logistics and reverse logistics  
14 services, namely, storage, transportation and delivery of goods for others by truck, rail,  
15 air and ship." Attached as **EXHIBIT B** to the Appendix of Exhibits is a true and correct  
16 copy of the PLC trademark registration certificate.

17 8. PLC also uses its marks on its website and in its [www.pacific-logistics.com](http://www.pacific-logistics.com)  
18 domain. Attached as **EXHIBIT C** to the Appendix of Exhibits is a true and correct  
19 screenshot of the [www.pacific-logistics.com](http://www.pacific-logistics.com) website.

20 9. PLC incorporated in 1999 and to date had sales in the hundreds of millions  
21 of dollars.

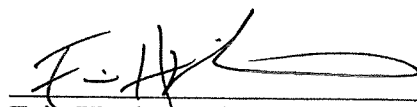
22 10. On or about August 7, 2019, PLC received an email from an actually  
23 confused consumer, Ms. Catherine Gallagher, to the [info@pacific-logistics.com](mailto:info@pacific-logistics.com) email  
24 address. I reviewed the email and noted that Ms. Gallagher, mistakenly believed that  
25 PLC and Pacific Logistics Priority Mail were the same entity. Ms. Gallagher's email  
26 inquired about her package's delivery status since she paid Defendants' insurance fees  
27 and she attached a screenshot of Defendants' invoice. I then forwarded the email to  
28 PLC's counsel, Milord A Keshishian, for further action. Attached as **EXHIBIT L** to the

1 Appendix of Exhibits is a true and correct copy of said email.

2 11. Prior to August 7, 2019 communication, PLC never interacted with Ms.  
3 Gallagher and she was never one of its customers.

4 12. Prior to Ms. Gallagher's contact on August 7, 2019, PLC was not aware of  
5 Defendants' fraudulent operations.

6  
7 I declare under penalty of perjury under the laws of the United States of America  
8 that the foregoing is true and correct and that this was executed on the 20th day of  
9 August, 2019 at Pico Rivera, California.

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14 Eric Hockersmith  
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